

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

SOUND SECURITY, INC.,

Plaintiff,

v.

SONITROL CORPORATION, SONITROL
HOLDING CORPORATION, SONITROL
HOLDING, LLC; THE STANLEY WORKS,
STANLEY SECURITY SOLUTIONS, INC.;
SECURITYCO SOLUTIONS, INC.;
STANLEY CONVERGENT SECURITY
SOLUTIONS, INC.; SONITROL
FRANCHISE COMPANY, L.L.C.,

Defendant.

Misc. No.: 3:09-MC-97

Related Case: U.S.D.C. for the Western
District of Washington (Tacoma), Case No.
C08-5350 RBL

PLAINTIFF'S MOTION TO FILE
DOCUMENTS UNDER SEAL

Plaintiff Sound Security, Inc. ("SSI"), by and through its counsel of record, files this Motion pursuant to LCvRs 6.1(B) and 7.1 for an order sealing certain materials being submitted to the Court in support of its Response to Wachovia Capital Partners, Inc., Walker C. Simmons, and Sean M. Smith's Motion to Quash SSI's subpoena. In support of this Motion, Plaintiff asserts as follows:

(a) The materials that SSI requests be sealed reference confidential deposition testimony and documents. Specifically, the materials reference sensitive business information that is subject to a stipulated protective order, a copy of which is attached hereto as Exhibit A.

(b) The materials cannot be made available to the Court for review by any means superior to sealing because (i) the materials go directly to the issues before the Court on the Motion to Quash; (ii) the Court will need to rely on the documents in making its ruling on

this Motion; and (iii) redaction would reduce or eliminate the force of the information and limit the Court's ability to weigh its importance in ruling on this Motion.

(c) The specific exhibits that SSI requests be sealed are listed and described in the attached Exhibit B.

(d) The Non-Parties and Defendant have represented that they have no objection to the sealing of these documents.

(e) Keeping the materials sealed is necessary for as long as this Court needs to rely on them in making its ruling on this motion. When this Court no longer needs them, Plaintiff will accept and receive the materials in their entirety.

WHEREFORE, SSI respectfully requests that the exhibits described in Exhibit B be sealed by the Court pursuant to the Stipulated Protective Order (Exhibit A) entered by the United States District Court for the Western District of Washington on December 2, 2008.

DATED: June 12, 2009

DEAN & GIBSON, PLLC

By: /s/ Amy C. Drayton
Amy C. Drayton
NC Bar #33381
301 S. McDowell Street, Suite 900
Charlotte, NC 28204
704-372-2700 (Phone)
704-372-1804 (Facsimile)
E-Mail: adrayton@deanandgibson.com
Attorney for Plaintiff Sound Security, Inc.

BULLIVANT HOUSER BAILEY, PC

By: /s/ Renée E. Rothauge
Renée E. Rothauge
WSBA: 20661
E-Mail: renee.rothauge@bullivant.com
/s/ Susan L. Ford
Susan L. Ford
WSBA#28015
E-Mail: susan.ford@bullivant.com

/s/ C. Todd Norris

C. Todd Norris

SBN: 181337

E-mail: todd.norris@bullivant.com

888 S.W. Fifth Avenue, Suite 300

Portland, OR 97204-2089

503-499-4608 (Phone)

503-295-0915 (Facsimile)

Attorneys for Plaintiff Sound Security, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2009, I served the foregoing *Plaintiff's Motion to File Documents Under Seal* on the following party at the following addresses by mailing to them a true and correct copy thereof, via facsimile and e-mail.

Michael J. Selle
Wachovia Capital Partners, Inc.
301 South College Street
Charlotte, NC 28288-0630
Facsimile: 704-383-0649
E-Mail: michael.selle@wachovia.com
*Attorney for Non-Parties Wachovia Capital Partners, Inc.,
Sean M. Smith and Walker C. Simmons*

Robert J. Lawing
Robinson & Lawing, LLP
101 N. Cherry Street, Suite 720
Winston-Salem, NC 27101
336-631-6999 (Facsimile)
blawing@robinsonlawing.com
*Attorney for Defendants Sonitrol Corporation, Sonitrol Holding Corp.,
Sonitrol Holding, LLC, The Stanley Works,
Stanley Security Solutions, Inc., SecurityCo. Solutions, Inc.,
Stanley Covergent Security Solutions, Inc., and
Sonitrol Franchise Company, LLC*

Jeffrey D. Grossman
Christopher J. Lowe
Stradley Ronon Stevens & Young, LLP
One Commerce Square, Suite 2600
2005 Market Street
Philadelphia, PA 19103-7098
215-564-8120 (Facsimile)
jgrossman@stradley.com
clowe@stradley.com
*Attorney for Defendants Sonitrol Corporation, Sonitrol Holding Corp.,
Sonitrol Holding, LLC, The Stanley Works,
Stanley Security Solutions, Inc., SecurityCo. Solutions, Inc.,
Stanley Covergent Security Solutions, Inc., and
Sonitrol Franchise Company, LLC*

DEAN & GIBSON, PLLC

By: /s/ Amy C. Drayton
Amy C. Drayton
NC Bar #33381
301 S. McDowell Street, Suite 900
Charlotte, NC 28204
704-372-2700 (Phone)
704-372-1804 (Facsimile)
E-Mail: adrayton@deanandgibson.com
Attorney for Plaintiff Sound Security, Inc.

BULLIVANT HOUSER BAILEY, PC

By: /s/ Renée E. Rothauge
Renée E. Rothauge
WSBA: 20661
E-Mail: renee.rothauge@bullivant.com
/s/ Susan L. Ford
Susan L. Ford
WSBA#28015
E-Mail: susan.ford@bullivant.com
/s/ C. Todd Norris
C. Todd Norris
SBN: 181337
E-mail: todd.norris@bullivant.com
888 S.W. Fifth Avenue, Suite 300
Portland, OR 97204-2089
503-499-4608 (Phone)
503-295-0915 (Facsimile)
Attorneys for Plaintiff Sound Security, Inc.